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EDITORIALS

Pakistan's three-way contest

The United States should hope the civilians win.

THE CRISIS IN U.S. relations with Pakistan has been overtaken, in Pakistan itself, by a power struggle among three competing authorities: the civilian government, the military and the judiciary. Its outcome could determine whether Pakistan will seek to repair its alliance with the United States or become a more open adversary in Afghanistan and elsewhere. Not coincidentally, it will also show whether the country's powerful military and intelligence service can be checked by civil institutions. Though history would suggest that the generals are bound to win, so far the result has been a stalemate.

At the center of the furor is Pakistan's former ambassador to Washington, Husain Haqqani, a highly capable representative of the government of President Asif Ali Zardari and a longtime advocate of democracy and civilian rule. Mr. Haqqani was forced to resign his post in November and now is under investigation by Pakistan's Supreme Court. A Pakistani businessman claimed that Mr. Haqqani helped craft an appeal to the Obama administration to protect the civilian government from a possible military coup; this is being treated

as an act of treason. Mr. Haqqani, who denies the story, has taken refuge in the home of Prime Minister Yousuf Raza Gilani. He has good reason to fear he will be targeted for assassination, like other liberal politicians slain in the last year.

Besides the military and Mr. Zardari's government, the third party to the dispute is the court, which seems to have embraced the generals' cause of ousting the civilian government. Chief Justice Iftikhar Mohammed Chaudhry has had outside political ambitions ever since he helped depose former president Pervez Musharraf. He has sought since 2009 to prosecute Mr. Zardari for corruption, even though he enjoys immunity as president. In addition to investigating Mr. Haqqani, the court is threatening to hold Mr. Gilani in contempt for failing to ask Switzerland to reopen a financial investigation of Mr. Zardari.

The good news in this complex struggle is that the case against Mr. Haqqani appears to be crumbling — as it should be — for lack of evidence. Mr. Gilani has pushed back against the military, by firing the defense secretary. And Mr. Chaudhry's overweening actions have divided a legal commu-

nity that once supported him overwhelmingly. With luck, Mr. Zardari's government will survive until an election in March for the upper house of parliament, which the ruling party is likely to win; that could provide more leverage against the generals.

The Obama administration has been outwardly supportive of Pakistan's civilian government but has often bypassed it, dealing directly with the chiefs of the army and intelligence agency on matters such as Afghanistan. While there is a certain pragmatic logic to this, what the past two years have demonstrated — again — is that an enduring partnership between Pakistan and the United States will be possible only if moderate civilians establish control over the military and dismantle its toxic nationalist agenda, which is founded on enmity toward India and rejects an independent and stable Afghanistan. There may not be much the Obama administration can do to tip the ongoing power struggle in Islamabad, and any overt attempt to intervene would probably backfire. But the administration should be hoping that Mr. Haqqani's side wins — or at least survives.

TOM TOLES



sufficiently to provoke constitutional concerns.

"[S]ociety's expectation has been that law enforcement agents and others would not — and indeed, in the main, simply could not — secretly monitor and catalogue every single movement of an individual's car for a very long period," Justice Alito wrote. "In this case, for four weeks, law enforcement agents tracked every movement that respondent made in the vehicle he was driving." This breach of the "expectation of privacy," Justice Alito suggested, exists whether the police attach a GPS device or use the car's own technology. In

either case, police would be wise to obtain a court order before beginning extended use of GPS to track a suspect, he concluded.

Justice Alito's approach should be the law of the land, but the court will have to wait for another case before that becomes a possibility. In the meantime, Congress ought to draft legislation making clear that emergency use of GPS tracking is acceptable to avoid a suspect's escape — but that, in all other circumstances, law enforcement officers must get a court's approval before virtually and relentlessly shadowing a suspect.

Keeping Dulles rail on track

Disputes involving the Silver Line's overseer must not be allowed to delay the project.

AFTER YEARS of laboring in contented obscurity, the authority that runs Dulles International and Reagan National airports has lately found itself in the eye of various political hurricanes, some largely of its own making. Given that the authority is master of a \$6 billion construction project — Metro's Silver Line rail extension to Dulles — and overseer of a road that handles 300,000 daily trips — the Dulles Toll Road — some controversy is unsurprising. What's important is that the disputes not be allowed to interfere with progress on the 23-mile Silver Line, the first half of which is scheduled to open late next year.

A clash last year over where to locate the Silver Line station at Dulles prompted a months-long impasse, resolved finally thanks to the mediation of U.S. Transportation Secretary Ray LaHood. Now, two fresh quarrels have created new uncertainties.

One involves legislation Congress enacted late last year to expand and reform the 13-member board that runs the Metropolitan Washington Air-

ports Authority. The bill's sponsor, Rep. Frank Wolf (R-Va.), thought the authority would be improved by adding four members (including two from Virginia) to the board and ensuring that members actually left the board when their terms expired.

The board, not thrilled by what it regards as congressional meddling, has taken the position that the legislation is moot until both Virginia and the District — which together created the authority to run the airports under a lease from the feds — amend their joint compact to reflect the changes. That stance appears legally correct, though Mr. Wolf, in whose district Dulles is located, is furious.

The question is what comes next. Democrats in Virginia have blocked a quick approval of the amendments, though they are likely to go along eventually. But D.C. Mayor Vincent C. Gray (who would get to appoint a new board member) is mum. No one knows whether he'll go along with changing the compact. He should.

The risk is that a prolonged period of confusion

could delay the Silver Line's progress, possibly by casting doubt on the validity of contracts. That cannot be allowed to happen.

Further questions about the project's second phase are being raised in Loudoun County, which is on the hook for about \$250 million of the cost and where the extension's two westernmost stations would be built. Some members of Loudoun's new, all-Republican Board of Supervisors are questioning the Silver Line's cost-effectiveness. If Loudoun decides to withdraw from the project, sacrificing its two stations, that would also add uncertainty — though it would also shave Silver Line costs.

At the heart of the matter are concerns about the airports authority's ability to build the Silver Line on time and on budget. Confidence in the authority has already been shaken by reports that the project's first phase is behind schedule. The Silver Line is critical both to the future of Dulles and the region's economic vitality. The stakes are too high for the authority in charge of it to take its eye off the ball.

LOCAL OPINIONS

Why the District needs my gas station bill

After publishing three editorials in seven months, The Post still doesn't appear to understand what the Retail Service Station Amendment Act of 2011 would do. The latest editorial ["Gas attack," Jan. 21] stated that the bill would prohibit gasoline distributors from "owning and operating retail gas stations" in the District. The bill would prohibit gasoline distributors from operating stations, not from owning them — a restriction in place for oil companies since the 1970s.

The editorial claimed the bill would limit a distributor's ability to sell land. The bill simply extends federal protections in place since 1978. Distributors can sell stations; they just need to give tenants the right of first refusal. Why would a distributor care who signs the check?

The Post also claimed that the increase in the gap between D.C. gas prices and those of neighboring jurisdictions since June 2009 is the result of tax increases. But The Post was comparing prices in the District with prices in the whole D.C. metro area, which includes the District — a flawed

approach that artificially shrinks the price gap. Comparing instead the average annual cost of gas in the District and the average annual cost of gas in the Maryland suburbs and the state of Virginia (figures for Northern Virginia are not available) shows that the price gap increased about 8 cents from 2009 to 2011, according to AAA data — more than twice the amount of a District tax that took effect Oct. 1, 2009. The only explanation for growth that big is price gouging.

In addition, the editorial reported that the District's dominant distributor, Eyub "Joe" Mamo, did not acquire his D.C. stations until 2009. True, Mr. Mamo bought his Exxon stations in June 2009, but he owned many other branded stations before that. Rather than ask why I want to address market concentration and manipulation, we should wonder if The Post has become a shell for Mr. Mamo.

MARY CHEH, Washington

The writer, a Democrat, represents Ward 3 in the D.C. Council.

LETTERS TO THE EDITOR

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Citizens against 'Citizens United'

Kent Greenfield was correct to note that real people have certain inalienable rights that do not disappear if they choose to associate in a corporation ["How to fix 'Citizens United,'" Washington Forum, Jan. 20]. But this does not justify the Supreme Court's invention of additional constitutional rights for corporations that go above and beyond the individual rights of the corporation's members or shareholders.

An individual's constitutional rights protect shareholders and members of nonprofit corporations from government takings and guarantee due process and equal protection under the law. By granting corporations new "rights" in *Citizens United v. Federal Election Commission*, the Supreme Court allows corporations to spend their shareholders' money on ideas or candidates that the shareholders might not agree with.

A corporation's main obligation is maximizing profit, which is not the same as a voter's interest in sound public policy. That is why Common Cause has launched the Amend2012 campaign. The organization wants to make clear that corporations, which are artificial creations of law, do not have the same constitutional rights as people and therefore should not be able to spend unlimited amounts of their profits influencing our elections.

BOB EDGAR, Washington

The writer is president and chief executive of Common Cause.

Kent Greenfield was right in saying that the damage done by the Supreme Court's *Citizens United* decision can be mitigated by legislation — such as the Disclose Act, which the Senate rejected in 2010 — and by greater corporate accountability to shareholders. But the fundamental mistake behind the decision — the removal of the right of citizens to regulate the use of corporate money in politics — can be reversed only through a constitutional amendment.

The "corporate personhood" amendment that Mr. Greenfield dislikes is just one of many proposed constitutional fixes to the court's mistake. Even if Mr. Greenfield disagrees with one particular approach, there's no reason for him to dismiss the overriding need for an amendment or the growing energy behind enacting one.

MARGE BAKER, Washington

The writer is executive vice president of People for the American Way.

Out with Lee, in with Grant?

The Jan. 22 Local Digest item "Roadways' names could be up for sale," which reported that Virginia is considering selling naming rights to its transportation infrastructure, brings to mind some lucrative possibilities. Route 1, now known as Jefferson Davis Highway, could become Abraham Lincoln Boulevard. Route 29, or Lee Highway, could become U.S. Grant Highway. And Route 50, or Lee-Jackson Memorial Highway, could be renamed McClellan-Meade Turnpike. To avoid the possibility of egotism being involved, the folks behind the renaming could be anonymous. I'd be willing to contribute to the cause, anonymously, of course, if it would help cover the state's multibillion-dollar deficit in roadway funds.

JEFFREY M. PARNES, Oak Hill

The writer is the chairman of the Fairfax County Transportation Advisory Commission and co-chairman of the Fairfax County Federation of Citizens Associations's transportation committee. The views expressed are his own.

Get your own war memorial

The dispute over the congressional effort to nationalize the District of Columbia War Memorial ["A battle over the 'Great War,'" front page, Jan. 24] is, on one level, absurd because any war memorial already in existence commemorates all who fought in that war.

If Congress wishes to have a memorial for Americans who gave their lives in World War I, its members should think on a grander scale and allocate money for a memorial that might match the existing memorials on the Mall to those who fought and died in World War II, the Korean War and the Vietnam War. Let the District of Columbia War Memorial continue to serve its original purpose, the commemoration of Washingtonians who fought in World War I.

CHRISTOPHER T. GEORGE, Baltimore

A better deal for PAC donors

So the \$2.7 million spent by Restore Our Future (the political action committee supporting Mitt Romney) was insufficient to destroy the candidacy of Newt Gingrich ["Gingrich upends race," front page, Jan. 22]? Please, may I suggest to those generous supporters of the PAC that they might like to invest their money elsewhere? As president of a seminary, I invite them to consider education. At least an investment in education might be a little more enduring.

IAN MARKHAM, Alexandria

The writer is president of Virginia Theological Seminary.

How lobbying works — wink, wink

Christopher Dodd, the president of the Motion Picture Association of America, was a U.S. senator for 30 years and a member of the House of Representatives for six years, so he knows as much as anybody about the customary relationships among lobbyists and members of Congress. How, then, could he have allowed these words to escape his mouth: "Those who count on Hollywood for support need to understand this industry is watching very carefully" [the outcome of anti-piracy bills supported by his association]. "Don't ask me to write a check for you when you think your job is at risk and then don't pay attention to me when my job is at risk?" ["Megaplayback shutdown raises fears," Jan. 21 news story]

At the very least, that statement documents in bold relief the fact that lobbyists and the objects of their work, certain members of Congress, have the expectation and knowledge that money is available in exchange for a vote in favor of the lobbyists' position on legislation.

MARTIN JENSEN, Haymarket

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